

11. *Journal of the American Medical Association*, 277:1033-1034, 1996

WHOLE NO. 345

[illegible]

Is politics, the Arabs will be DEMOCRATIC in the end and while treating public men and measures with courtesy and fairness, will nevertheless endeavor on every occasion

The ARKANSY will be issued on a Medium sheet of 72 white paper, and full type. Every kind of Book and all Printing, Cards, Circulars, Handbills, etc., will be executed at the lowest Office with Promptness and on reasonable terms.

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ADVERTISING.

For One Year, per Mail. \$1.00

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of Bayard & Co., Freeman & Co., Todd & Co., and agents for San Francisco, Stockton, Sacramento City, and several others, so as to undertake all other orders of

to whom all communications should be addressed by mail, postpaid, to:

RAY ZEEB, December 21, 1955.

CT-Subversive and advertisement for the American at the Pacific Area Office - continuity in

PROSPECTUS

OF THE

MONTEREY GAZETTE

THE UNBROKEN success to which in

of MONTREY, a Weekly Newspaper, to be called the
MONTREY GAZETTE.
In a country where, above all others in the world, a

The GUARANTEES are not designed as a party program, nor are they intended to be a political platform. They are the result of the deliberations of the representatives of the people of the United States, and they are intended to be a permanent and unchangeable basis for the government of the United States. They are the result of the deliberations of the representatives of the people of the United States, and they are intended to be a permanent and unchangeable basis for the government of the United States.

hope for continued prosperity, either as a nation or as individuals, where vice prevails over virtue. "We

The passage is interesting inasmuch as it is a record of what took place in the town of New Bedford in Southern California, but as a member of the family, identified with them in the same common life in London, concerned in the lifting ring, seeking to make a fortune, and in the same manner of identification as a sea-port, imports commercial vessels which will reveal it, better many years, one of the worstest maritime cities in the world. The G. A. R. will stand their ground, and labor to advance it.

The G. A. R. will also present themselves with frequent and timely, to the latest possible date, in the month they pay up with this greater civility, a more correspondence has been made with the President, and the G. A. R. will be of the order.

As an interesting record, now in business will be

For the benefit of that portion of the population

LETTERS who are printed in Spanish, and the Editors of other leading articles will be inserted in both languages.

The subscription price will be 20 cents *Adelante* per annum, payable *adelante* in advance. The first issue will be issued on or about the 15th of February, 1911.

J. E. H. LAMAR
Editor and Proprietor

MONTREAL, Dec. 26th, 1910.

FOR SALE.

50,000 LBS Red Sea-Island No. 1
20 feet white oak plank do, 20
5 w do do do
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a ship's new long beam
a new saw do

G. B. SLEIGHT
and F. M. The Fully Fitted warehouse, Fishermen's Quay.

COAL YARD.

A. B. ROGERS & CO., Ltd., 100, Victoria Road, Wapping, London, E.C. 2.

Coal delivered in large or small quantities. It can

FOUR NATIONS RESTAURANT.
LONG WHARF.—The selectest, best, and
most plentiful and quality of their meals to be had for
consumption to favor, beg to assure the Public, in
where shall be found to correct satisfaction.
Provided rooms at reasonable prices.
S. PLANCH
JOHN BARR

NOTICE.

Information as will bring to justice the men who committed the depredations on board the *Oriskany*, on Friday night, Oct. 25, shall receive the reward.

THURSDAY MORNING, JAN. 30, 1851.

AGENTS FOR THE PACIFIC NEWS.
 Sacramento City.....C. J. JOHNSON.
 San Jose.....C. J. JOHNSON.
 San Francisco.....C. J. JOHNSON.
 New York.....C. J. JOHNSON.
 Napa.....C. J. JOHNSON.

AGENTS WANTED in every City, Town and Village, to whom liberal advantages will be given. Orders for the PACIFIC NEWS will be daily attended to, if addressed to us post paid, and enclosing the cash. The WEEKLY PACIFIC NEWS will be re-commissioned as soon as necessary arrangements can be completed. A STEAMER EDITION will be issued weekly, on the sailing of each Mail Steamer.

OUR STEAMER EDITION.

On FRIDAY (to-morrow) morning, we shall issue another number of the Enlarged Steamer Pacific News, made up expressly for circulation in the States. This number will be fully equal to any that has preceded it, and as a compendium of News and General Intelligence in regard to California, will be invaluable. It will contain two numbers of the "PACIFIC SKETCHES," by Old Block, News and Correspondence from Oregon, Mining Intelligence, Local News, the latest details of the Indian troubles in Mariposa, Editorial Correspondence, an accurate Prices Current and Review of the Market. Marriages, Births and Deaths in California and Oregon since the sailing of the last steamer, a complete List of Vessels arrived and departed since the last Mail went forward to the Atlantic, together with a great variety of other valuable and interesting matter. The Enlarged Steamer Paper will still be sold at the low price of

TWENTY-FIVE CENTS.

A Newspaper and Letter Bag will be kept open at our Counting Room, Montgomery street, until 3 o'clock. Saturday afternoon, where papers may be mailed free of postage.

Legislative Suggestions.

A mechanics lien law was passed at the last session of that body, and a proposition is now before the Legislature to amend it in such particulars as will render it more perfect; and thus the mechanic is protected against swindling employers. A homestead exemption law is recommended, and will undoubtedly be passed, but there is still more required to protect the laboring and poorer classes from the rapacious creditor. The present Legislature should pass an act exempting the working implements of the mechanic, the household furniture of the poor, from levy and sale by execution. Now, every thing can be taken, which a remorseless creditor's avarice may demand. Other states have like humane provisions in their statute laws, and California should not be without them.

The necessity and justice of such a law was suggested to us by seeing in the hands of an officer of the court, by virtue of an execution, the chest of tools belonging to a carpenter—the only implements which afforded him the means of realizing, even in a moderate way, the golden dreams which he formed of California, or even of procuring the bread necessary to sustain life. We should be glad to record it as the last instance of the kind which will ever occur in California.

Another law also seems to be equally just and proper. Under the present system, a debt may be contracted for a steamer owned in New York, or elsewhere, and unless the agent be disposed to pay the amount, there is no way of getting service, in case of suit, upon the owner, except by complying with the present statutes, by advertising *ex months*, as required by the non-resident act. This places creditors in a perplexing condition, being entirely subject to the caprice or integrity of the agents. What is required to effect a remedy, is the passage of an act authorizing the service of process upon the agent who contracted the debt, and that a judgment obtained by such process should hold good against the property of the principal. A dishonest agent might contract debts to any amount, and if so disposed, might compel the creditor to look to the principal for his pay, who is perhaps ten thousand miles distant. This is manifestly wrong, and demands the early attention of the Legislature as an act of justice to creditors against transportation companies. Those agents who design to act fairly in their business transactions, cannot utter a word of objection to such a law, as it will not force them to do otherwise than conscience dictates; while those who manifest a disposition to fleece our dealers, will be compelled to imitate their more honest neighbors.

Newspaper "Drummers."

There are some three or four printing establishments in San Francisco, against whom great complaint is made, that as soon as an advertisement appears in another paper, send off one or two "drummers" to procure it for insertion in the papers to which they are attached. One gentleman told us yesterday that he was applied to, and pressingly urged and importuned, some four or five times in the course of the day, and could with difficulty get rid of the sturdy fellows who insisted upon advertising for him "for a week"—or "just one insertion."

This practice is disputable. All are naturally desirous of doing as possible, and that and job work are the only sources of revenue of any account upon which the several offices depend. But business should come in a legitimate way; not by impudent and oftentimes ungentlemanly importunity and annoyance, in which cases the patronage is bestowed only to get rid of the "drummer." This practice is a feature introduced by the New York merchants, but we regret to see it prevail to so great an extent in San Francisco, where so just an equivalent is rendered for every dollar spent in advertising.

THE STEAMERS.—Two of our best steamers leave on Saturday next, for the Atlantic side—the Panama, belonging to the Pacific Mail Steamship Line, and the Republic, of Law's Line. Both are magnificent vessels, have good accommodations, and commanded by the right kind of officers.

ROBBERY.—A few nights ago, the house of a sausage maker in the vicinity of North Beach, was entered, and robbed of \$2,800. The money was principally in gold. No clue has been discovered to the perpetrators.

The San Jose Railroad Project.

The citizens of San Jose are urging forward the project of a railroad between this city and that, with all becoming energy. Several meetings have been held, and the necessary committees appointed to collect subscriptions to the capital stock. At the last meeting, a committee was named to prepare an Address to the people of the cities and the Valley, and have presented an able one, which we find in the San Jose Argus, of yesterday morning, and in which the subject of railroad profits is thoroughly reviewed. From this address we copy the following extracts:

"The valley of San Jose, with its tributaries, contains about 900,000 acres of as fine tillage land as the agriculturist need desire. This land has yielded one hundred fold increase of wheat, and has been equally prolific in other produce. One of the committees on this address has raised 900 bushels of potatoes this year, on one acre. We speak advisedly when we say that in two years, with the aid of a railroad, this Valley will be able to supply San Francisco with all the produce she can use. Our teeming acres will pour forth a bounteous supply for her population, when it shall have risen from 20,000 to 200,000 inhabitants.

Even with the present population of the valley, a profitable business can be done on such a road. During the last seven months, the amount of passenger travel between this place and San Francisco has not been less than 10,500, at an average expense of \$16 each, making a total of \$168,000. During the same time about 2,000,000 feet of lumber were brought to the Embarcadero, at an average cost of \$15 per thousand feet, amounting to \$30,000; to this must be added \$30,000 for other freight. In this enumeration we omit the immense quantities of hay, wood, bricks, potatoes, quillsilver, cattle, and other articles which have been transported to San Francisco by water or land. To this we must add the cost of carting to and from the Embarcadero. Some estimate may be formed of the enormous amount of this item of expense, by the fact that one firm, and that not one of the largest, has paid, during six months, over \$3,000. These facts justify the supposition that the expense of transportation for the six months ending Dec. 31, 1850, has not been less than \$30,000, or more than one-sixth of the receipts of all the railroads in Massachusetts. The history of railroads has established the fact that in a short time they greatly increase the amount of business, particularly of travel. Our wisest railroad directors abroad lay it down as a rule, that any route will sustain a railroad, when the expense of grading comes within reasonable limits, and that sustains a daily stage, because the increased facilities for traveling offered by a railroad invariably increase the number of travellers. When merchants living sixty or one hundred miles from the city, can enter the cars in the morning, make his purchases, and return the same day, his visits increase more than tenfold. Distant members of families, too, are brought into more frequent contact, and social life contributes largely to the increase of travel.

By no other step or outlay, could the citizens and capitalists of San Francisco add so greatly to her wealth or comfort, as by aiding to increase our facilities of intercourse with her, by the construction of a good railroad. We cordially invite them to unite with us in joining our respective cities by iron bands which shall be better than mines of gold.

We might appeal to State pride. As sure as our proud eagle has spread his wings from the east to this western shore, so sure will one vast iron belt bind in one the old States of the East and our youthful State of the west. We are not always to be thus widely separated—the railroad and magnetic telegraph will soon bring San Francisco in a close proximity to Washington, as Boston was seventy-five years ago. But if a railroad commencing in the Atlantic States, is ever to reach San Francisco, it must pass through our valley. We shall be on the direct route to Washington, and the road we contemplate will be the beginning of a great national work, worthy of the name and resources of our loved republic.

Fellow-citizens, our address is too long—we close. We ask for your aid. Let us have the honor, and we, and they who shall come after us, the benefits of the first railway on the Pacific. Let us bring this mighty instrumentality to bear, in developing the resources of our adopted State. A united effort cannot fail—it must succeed. Some will predict failure—some have done at the commencement of the most profitable investments. Write—speak—sing—act—and the fire-horse, though breathing fire and smoke, shall soon rush over a well laid course, bearing joy and plenty to our homes."

ANOTHER FIGHT.—A teamster driving a wagon, on long wharf yesterday, from some cause, came near running over a person who was busily engaged in a conversation. The latter struck one of the animals attached to the wagon, when the teamster retaliated by striking him with his whip. A running fight was kept up for a few moments, to the great amusement of the crowd.

A GOOD IDEA.—A petition, we understand, is in circulation among the citizens of Long Wharf, praying the authorities to forbid the French monte dealers and thimble-riggers from practising their arts in that section of the city. We hope that the Common Council will pass rigid laws prohibiting the playing of these games, as they are the source of more or less disturbance.

ASSAULT AND ROBBERY.—A Prussian, yesterday morning, while walking on North Beach, was assaulted by two ruffians, one of whom fired at him, the ball passing through the lapel of his coat. The shot not having taken effect, they knocked him down and stripped their victim of \$300. The perpetrators of this outrage have not yet been discovered.

YUBA MINING STOCK.—We understand that quite a demand is arising for shares in the Yuba Quartz Mining Company. Several shares were sold yesterday, and some of them to gentlemen who had examined the bed and locality. The company expect to commence operations within two or three weeks.

THE MISSING FOUND.—The little girl "Emily," who was lost from its parents last Sunday evening, has been found by officer MERRITT, of the 3d district. The child had wandered away from its home, on Vallejo street.

The Shooting Case on Tuesday Night.

The Coroner held an inquest yesterday morning, on the body of CHARLES BARTLEY, who came to a violent death the preceding night in the Parker House. The facts in the case, as elicited upon the examination, are substantially as follows:

Mr. Roberts, a person residing in the Union Hotel, and Mr. Charles Barnett were taking a drink at the bar of William's Saloon, in the Parker House, when Bartley came in, apparently much excited, and administered a kick to Barnett, which was received with seeming good humour, and without any resentment. Barnett asked the deceased what he meant by such treatment, when the latter replied, that if Barnett gave him any more words, he would hit him over the nose. Bartley, seeming determined to have a difficulty, grasped Barnett by the throat, and pushed him back upon an iron safe, at the same time calling him a loafer, coward, &c. The latter replied that he had no friends there, at that time, but that he would fight him in the morning with pistols. Bartley then said, "measure five paces, and we will have a measure two," starting off at the same time with pistol in hand. He cautioned the crowd to get away, as he would shoot, when he immediately fired at Barnett, the shot not taking effect. Two shots were afterwards exchanged without effect, when the third shot from Barnett's pistol, struck his adversary in the breast, killing him almost instantly.

The combatants had been friends since childhood, and this difficulty, which has terminated so fatally, is entirely attributable to the unrestrained passions of a mind excited by liquor.

The jury returned a verdict, that "the deceased came to his death by a pistol shot at the hands of Charles Barnett."

Barnett was examined yesterday before the Recorder, and held to answer at the District Court in the sum of \$3000.

CALIFORNIA LEGISLATURE.

Tuesday, January 28.

IN SENATE.—A petition was presented from citizens of Monterey, praying that powers now vested in the Court of Sessions, be transferred to the Board of Supervisors. Referred to the Judiciary Committee.

A Committee of Conference was appointed to meet a like Committee from the House, to arrange the details of the Lottery Bill.

A bill allowing treasury warrants to draw interest, was read a first and second time, and referred to the Committee on Finance.

The object of this bill is to allow interest at 1½ per cent per month, on such warrants.

Mr. Green, from the Finance Committee, made a lengthy report, accompanied by a bill to provide for the suppression of Indian hostilities. Ordered printed.

Mr. Van Buren introduced the bill of which he had given notice, to amend "an act to supersede certain courts, and to regulate appeals therefrom," which was read a first and second time, and referred to the Judiciary Committee.

The Judiciary Committee presented a report and bill, exempting the homestead and other property from forced sale. Ordered printed.

IN ASSEMBLY.—Mr. Cook presented a petition from numerous merchants and others of San Francisco, for a bill concerning hawkers and peddlers. Read, and referred to the Committee on Ways and Means.

Mr. Hall reported a bill in favor of the relief of Joseph Edwards, of San Francisco, in consequence of loss of two State bonds. Read, and referred to the Committee on Ways and Means.

Mr. Murphy, chairman of the Committee on Ways and Means, reported back the bill providing for the issue of State warrants in stated sums, and on fine paper, and recommended its adoption.

Mr. Bradford hoped that the bill would lay over for the present, to give time for an amendment in the act concerning the duties of the Comptroller, which was agreed to.

Mr. Campbell introduced a resolution that the House meet in joint ballot on Monday next, for the purpose of electing a U. S. Senator. Adopted, by 16 to 11.

The bill to suppress gaming was read twice, and referred to the Committee on Ways and Means.

The House concurred in the resolution of the Senate authorizing the printing of the Comptroller's report. Also, respecting counties and county boundaries.

Mr. Kellogg moved that the section in the bill fixing the first Monday of June be amended so as to fix upon the first Monday of August, as the time for the general election of State officers. This was afterwards altered to the first Monday in July. Adopted.

The Police Ordinance.

SAN FRANCISCO, January 26th, 1851.

Editors of the Pacific News:

In your paper of to-day, I observe an article under the head of "A Curious Ordinance," in which you allude to the proceedings of that very "curious" body of men, usually denominated "City Fathers," or "Board of Aldermen," in reference to that very exciting question, "the pay of the police."

Your remarks respecting the ordinance providing for the payment of five dollars for every arrest and conviction, are very correct, and I think it but an act of justice to state, that so far as I have conversed, with the members of the police department, and I have spoken to many of them, I find them utterly opposed to the bill. They do not ask the Council to "open the door for rascality," but simply ask that which is due them. The members of the police department have received scrip for over ten months, and it is high time the board of aldermen should provide for their pay in cash, or its equivalent.

While upon this subject I may be permitted to enquire of those who know, or should know, what becomes of all the cash paid for taxes, fines, licenses, &c.? Who is speculating in city scrip at the expense of those who work for the city, and get paid in "audited bills" and scrip, in amounts so large that they cannot be disposed of, even at fifty cents, on the dollar? Why is it that poor men can't get paid off in small bills, such as they could dispose of in payment of boarding, and other necessary expenses? What interest can certain leading city officers have in using their influence to prevent the passage of any ordinance which is calculated to enable the poor laboring man to dispose of his scrip, without being fleeced by the purse-proud aristocrats in a day of retribution is close at hand, and it behooves every good citizen to be up and doing, in order that they may get Justice.

The Usury Bill.

Editors of the Pacific News:—Objections have been made to the present action of the Legislature, in an attempt to regulate the interest of money. Whether the objectors are governed by interest or patriotism, it is not for us to determine, but the measure is important, and the objections should be considered.

That any legitimate business will justify the payment of from five to fifteen per cent per month, and this frequently compounded, or paid in advance every month, is a proposition that we think no one will attempt to demonstrate. Every thinking man knows that it will ruin any business man in California to continue it. Consequently no one, objecting to the bill, or justifying this deep shaving, attempts it, upon that ground; no man is fool-hardy enough to contend that any merchant, trader, or any other class in community, can prosper under such an enormous load. But the objections when summed up are only two:

1st. That a man has as much right to hire his money for as much as he can get; as his horse, or any other article of property.

2d. That if it be an evil, legislation will not correct it, but add to its burdens; it must correct itself by time. Now however plausible these reasons may be, they are nevertheless fallacious. Let us examine each of them for a few moments:

1. Is it true that money is like all other property? No, it is unlike any other article of value, and by law made the regulator of the whole. The intrinsic worth of gold and silver is trifling when compared to most other articles of value. It is not food, or drink, or apparel, or rest. Of itself it signifies none of our real wants; its value, therefore, is not natural, but artificial, value given by law, and by the sanction of all nations. The law has made it the standard of value, the yardstick and the scales, by which, so far as the price is concerned, all our property is measured and weighed. By the action of the civilized world, it has thus been made both an article of great convenience and an engine of great power. A power, acknowledged by all, feared by all, and regulated by all civilized States, except California. Nothing seems more reasonable, than that the law which gives money this fictitious value and power, not only has the right, but is in duty bound to regulate its use, and prevent its abuse.

But, says the objector, liquidation cannot control it. It will only make the usurer more cautious and exacting, and really add to instead of diminishing its oppressiveness.

Suppose we apply the same argument to every legislative enactment! What crime was ever extirpated from any country by legislation? What code of morals was ever sufficient to prevent immorality? Is it a good reason for repealing our criminal laws, that they have failed to prevent murder, theft, arson, rape, and all the catalogue of crimes in the statute book? No man in his wildest vagaries has contended for this. Every prohibitory law in any community is frequently broken, but who would be so unwise as to wish all laws restraining the angry passions and criminal propensities of men, repealed, because they have failed to root out the entire evil. None have advocated this. Then why say that a usury law does no good, because there are Shylocks in community who would evade it, or disobey it. The reasoning is unsound, if not absurd. A law regulating the rate of interest has not been more frequently evaded or broken than any other restraining law.

The only other reason against the law is, that the worth of money, like other articles of trade, will regulate itself. Now it seems strange if this be true, that it has not been ascertained by political economists in some other part of the world. It was thought, in the time of Moses, important to regulate the use and prevent the abuse of money by legislation. And from the message of Moses to the message of Gov. Burnett, legislative restraint has been thrown around the usurer in every land of law except California. Have there been no wise men in any age before? Or is this not a question in which the experience and wisdom of the past, would throw light upon the present? It seems reasonable, that if this evil would regulate itself, it would have been ascertained previously.

But apart from the laws and usages of others, every discerning man seeing its effects in California, will see that it is an evil that will not regulate itself, or at least not until it has sucked the life blood of the body politic. The interest that California is now paying, if persisted in, will ruin the foundation of her prosperity. It will ruin the most prosperous country that ever existed. If the interest remained among us, its only effect would be to transfer quickly all the property of every borrower into the pockets of the banker, to make the many very poor, to enrich an aristocratic few, and give them power to grind to the dust. But the property would still be here, all in the hands of a few millionaires, perhaps, but still here.

This enormous gain by interest, however, does not remain among us. It goes to fatten those who have no sympathies in common with us, and who will withdraw their wealth so soon as they have, by compounding their cent per cent, gotten the remnant of our earnings, and destroyed the energies of a most energetic age. It will not correct itself. It is worse now than a year ago, and is becoming more alarming every day. It engenders a wild speculation, makes men desperate, and their fortunes are being shivered by scores and by hundreds. We might as well expect that the eating cancer upon the human system, with its unseen roots sapping man's vitality, to cure itself, as to expect the rate of interest to regulate itself; instead of effecting its own cure, its evil strike deeper and gain strength by time, until the system loses its vitality and becomes a loathsome carcase. No, the knife, the knife, is the thing for a cure, if perchance the disease has not already taken too deep a hold, and our doom already becomes sealed.

If this Legislature shall adjourn without fixing the rate of conventional interest, it will greatly fail in its duty, and bankrupt thousands, who with wise legislation will add to the prosperity of our country. It is therefore to be devoutly wished, that fearless and efficient action will be had in correcting so great an evil.

CIVIS.

ARRIVAL OF THE CONSTITUTION.—The Steamer Constitution, Lieut. Bissell, U. S. N., commander, arrived this morning from San Diego and intermediate ports. She brings 105 passengers, among whom are 26 soldiers of the 3d Artillery, under the command of Capt. Burton.

We learn that STEPHEN C. MASSETT, is hereafter to be associated in the editorial management of the Marysville Herald. From the gentleman's known character and ability, we doubt not but that the acquisition will prove a valuable one. We wish him all possible success in his new enterprise.

RECORDED COURT.—Hon. F. Tilford, presiding. For being riotous and disorderly, John Shields, was fined \$5; Andrew Slicer, \$5; James Gill, \$5; Wm. Nelson, \$5; A. Besers, \$30; John Murphy, \$5; Wm. Kingston, \$10; and Hugh Cole, \$15.

For a breach of the peace, Wm. Kelly, was fined \$20; John Hudson, \$25.

John Hill, a lad nine or ten years old, for firing a pistol in the street, was discharged. Charles Barnett, for killing Charles Bartley, was bound over to the District Court in the sum of \$3,000.

THE PEOPLE VS. WM. WELCH AND ALFRED IRVIN. Tried before a jury, who returned a sealed verdict.

R. T. Ryan for use of R. Kellaley vs. John McCormack and Frederick D. Blythe. On motion of defendant, the attachment is dismissed.

RECORDED COURT.—Hon. F. Tilford, presiding. For being riotous and disorderly, John Shields, was fined \$5; Andrew Slicer, \$5; James Gill, \$5; Wm. Nelson, \$5; A. Besers, \$30; John Murphy, \$5; Wm. Kingston, \$10; and Hugh Cole, \$15.

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Record of City Courts.

WEDNESDAY, January 29.

SUPREME COURT.—Chief Justice Hastings, Associate Justices Lyons and Bennett.

The People, ex. rel. Stephen J. Field, vs. Wm. R. Turner.—Petition for a mandamus. The relator represents that Mulford and Goodwin have again been expelled from the bar as attorneys of the 8th Judicial District, by the order of the District Court for Sutter county, of said district. The proceedings are irregular, inasmuch as the relator has received from the court a license to practice as an attorney-at-law in the Supreme Court, and by the rules of court is authorized to practice in all the courts of the State. If the proceedings are void, the relator would have his action for damages, if deprived of the emoluments conferred by practice, but that would subject the party to a great delay.

An alternative writ of mandamus is ordered. A commanding writ of said district court to cause to be vacated the order of expulsion, entered on the records of the District Court of Sutter county, as to said Stephen J. Field, and to permit said Field to practice as an attorney-at-law in all courts of the 8th Judicial District, or show cause why the same should not be done.

The People vs. Wm. R. Turner.—Motion for an attachment for contempt of court.

This is a motion made by Stephen J. Field for an attachment against Judge Turner, for contempt in not obeying the process of mandamus.

At the October term of the Sutter District Court, 1850, an order was entered by Judge Turner, the preamble of which is as follows: "Whereas, the Supreme Court, having reinstated Stephen J. Field, F. A. Goodwin, and J. B. Mulford, as members of the bar of the District Court of the 8th Judicial District, after having been expelled from the same by an order of said court; &c., the power of the court seems to have been recognized, and the mandate of the court substantially complied with."

Motion refused.

Bunting vs. Biedman, et al.—Cause argued and taken under advisement.

Acquittal vs. Crowell & Co.—By consent of parties, this case is set for argument on the 8th of February.

Sundt et al vs. Hepburn et al. Dissenting opinion of Chief Justice Hastings.

The plaintiffs sued to recover a tract of land, alleging that for more than two years they had enjoyed public, peaceable, and uninterrupted possession of the land as owners, and shortly before the commencement of this suit, the defendants forcibly entered upon and detained it, that the plaintiff had erected a building upon the land, and that the defendants came and destroyed their building. The plaintiffs seek to regain possession and recover damages. The defendants deny allegations of the petition, and claim each 160 acres of land under the pre-emption laws of the United States.

This action is purely a possessory one. The plaintiff interdicts no title in the plaintiffs in good faith, for more than a year and a day. To maintain their right to recover, it is only necessary in this action for the plaintiffs to show their own possession for that length of time, and the entry of the defendants. The question of title cannot be raised. In Louisiana, whose system of laws is derived from the same source as that which prevails here, possession for a year gives pre-emption title; upon proof of a possession for a year, a party can recover even against the true owner, who would not be permitted to set up his own title as a defense. Enforcing such views as I have expressed, I believe the following conclusion to be correct:

1st. If the grantor, Roberto, was under the disability sought to be established, the plaintiffs have purchased in good faith, and have a colorable claim of title.

2d. That if, under such incapacity, no third party can take advantage of it—the sale could be avoided only by Roberto, his heirs, or the government.

3d. That all restraint upon Indians in the alienation of their real property, appear to have been abolished.

4th. That the plaintiff had, at the time of the entry of the defendants, actual possession of a part of the premises conveyed, in the name of the whole.

5th. That each possession is good for the entire tract within the specified metes and bounds.

6th. That they can sustain their action, tooust any intruder without title.

I think, therefore, the judgment of the Court should be reversed, and a new trial had.

SUPERIOR COURT.—Hon. D. O. Shattuck, Associate Justice.

Charles B. Young vs. Alpheus Staples. The plaintiff offers in evidence the promissory note on which the action is founded, and the defendant says nothing in bar to the plaintiff's demand, the court find for the plaintiff, in the sum of \$236 13, being the amount of said note with interest. McGay for plaintiff. Gov. Smith for defendant.

Lyons vs. Lippincott, continued until to-day. BEFORE CHIEF JUSTICE MURRAY.—J. B. Lippincott vs. J. W. Hanson, et al. The court orders that the order made in this court on the 4th day of January, be vacated, and that the proceedings against Wm. Rabe, and Winter, and Latimer, for a contempt of court be dismissed. Gov. Smith for plaintiff.

Peter Smith vs. Alsau. The hearing of the motion to dissolve injunction is hereby postponed.

C. M. Weber vs. Denis McCarthy. Stay of proceedings is ordered, until a motion for a new trial is heard and determined. Halleck, Peachy & Billings for plaintiff. Morse & Smith for defendants.

E. Lafan vs. Denis McCarthy. Stay of proceedings ordered until a motion for a new trial is heard and determined. Halleck, Peachy & Billings for plaintiff. Morse & Smith for defendants.

John Middleton et al. vs. Wm. Ballingall, et al. Cause argued and continued until to-morrow. Bots, Campbell & Emmett, for plaintiff. Crittenden & Randolph for defendants.

DISTRICT COURT.—Hon. Levi Parsons presiding.

Elliott vs. Osborn et al. Motion for a new trial granted.

Henderson vs. Gilpin et al. Motion to dismiss attachment referred to C. W. Brame, to hear and report facts.

John S. Gibbs vs. Thurston & Reed. Judgment by default.

Daniel S. Lount vs. Joseph Beguin. Judgment by default.

J. V. Dellicker vs. T. W. Cazaneau. Default as to Cazaneau and Smith.

J. W. Bowman vs. Lunt & Glines. Judgment by default made final in the sum of \$1040.44, with interest at the rate of 41-2 per cent. per month.

Agullo vs. Robert E. Hunter. Motion to dismiss injunction sustained.

Chas. Gilman vs. Chas. Quilfett. Judgment final for \$508.12.

The People vs. Wm. Welch and Alfred Irvin. Tried before a jury, who returned a sealed verdict.

R. T. Ryan for use of R. Kellaley vs. John McCormack and Frederick D. Blythe. On motion of defendant, the attachment is dismissed.

RECORDED COURT.—Hon. F. Tilford, presiding. For being riotous and disorderly, John Shields, was fined \$5; Andrew Slicer, \$5; James Gill, \$5; Wm. Nelson, \$5; A. Besers, \$30; John Murphy, \$5; Wm. Kingston, \$10; and Hugh Cole, \$15.

For a breach of the peace, Wm. Kelly, was fined \$20; John Hudson, \$25.

John Hill, a lad nine or ten years old, for firing a pistol in the street, was discharged. Charles Barnett, for killing Charles Bartley, was bound over to the District Court in the sum of \$3,000.

BY LAST NIGHT'S BOAT.

News from the Sacramento Valley.

The Senator came in at 12 o'clock last night. Freeman & Co. furnished us Sacramento papers.

The Transcript gives a letter from Major W. GRAHAM, commanding a detachment of volunteers, consisting of 63 men, who marched to a rancharia on the South Fork of the American river, where an engagement took place, in which 6 Indians were killed, and one American wounded. The Indians numbered about 90 warriors. It is said that the Indians are concentrating their forces on Silver Fork.

Another Robbery.—Mr. Root, the proprietor of the "Six Mile House," on the Coloma road, had his trunk broken open on Friday afternoon last, and \$2000 abstracted from it. The money was in an upper room and the thief lowered the money to the ground by means of a rope which was found under the window. This is the same unfortunate husband whose wife decamped last fall with \$12,000, and now he has lost every cent he possessed.

A vein of quartz has been discovered at Nevada City, and explored to the distance of three or four miles. It is said to be exceedingly rich.

The Future Son-in-Law.

RESTAURANTS.

WASHINGTON STREET,
By H. A. MANSFIELD & E. O. POTTER.

BILL OF FARE.

DINNER.

Soups.

Turtle.....	25	Milk Turtle.....	12 1/2
Beef.....	12 1/2	Vegetarian.....	12 1/2

Vegetable.....		12 1/2
Fish.		
Boiled Salmon.....	50	Baked Rock Cod..... 50
do do ackered.....	27 1/2	do do Sturgeon..... 50
do do Lobster.....	50	do do Codfish..... 50
Chowder.....	12 1/2	
Bolled.		
Mutton, capersauce.....	50	Ham..... 37 1/2
Corn Beef.....	37 1/2	Tongue..... 37 1/2
Roast.		
Elk.....	50	Mutton..... 50
Veal.....	37 1/2	Chicken..... 37 1/2
Pork.....	50	Duck..... 50
Venison.....	50	Geese..... 50
Cranberry Sauce.....	25	
Entrées.		
Smoked Duck.....	50	Boiled Beef..... 50

do	50	Rabbit	50
do Goose	50	do	50
do Teal	50	do	50
Pricesees Duck	75	Mutton do	50
do Rabbit	76	Beef'd do	50
Pork and Beans		87½	
To Order.			
Beefsteak	87½	Mutton Chop	50
Ham and Eggs	\$1.00	Omelette	75
Fried Eggs	75	Venison Steak	50
Pickled Oysters	75	Veal Cutlets	50
Oyster Stew	1.00	Pork Steak	50
Fried Ham	87½	Pickled Caviars	50

Vegetables.		
Cucumbers.....	Tomatoes.....	25
Beets.....	Turnips.....	12½
Squash.....	Mashed Potatoes.....	12½
Pickles.....	Kidneys.....	12½
Sweet Potatoes.....	Boiled Potatoes.....	12½
Cabbage.....		12½
Puddings.		
Baked Apple.....	Currant.....	25
Macaroni.....	Bread.....	25
Plums.....		25

Sago.....	50	Tapoca.....	25
Indian.....	25		
		Pastery.	
Raspberry Pie.....	25	Apple Pie.....	25
Chine do.....	25	Peard do.....	50
Squash do.....	25	Peach do.....	25
		Desert.	
Honey.....	12	Raspberry Jam.....	25
Apple Marmalade.....	25	Ke-perry do.....	25
		Wines and Liquors of all kinds.	
Guests will please name at the bar each article had.			
LODGINGS WILL BE RENT OUT BOARD			

EXPRESSES.

 **TO NEW ORLEANS**—The only Express for **NEW ORLEANS** direct by every steamer. All business punctually attended to, by **E. B. HIGGINS**, Esq. Agent of **GREGORY'S EXPRESS**, office, 13 Commercial Street, New Orleans.

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FRE. MAN & CO'S EXPRESS.
DAILY TO SACRA MENTO CITY.—Being the only contract for an Express, and Sales to the community.

Treasure on board steamers **SEN-TOR** and **NEW WORLD**. The only firm in Sacramento City and the Northern lines, connecting with **ADAMS & CO** to the Atlantic States. Office in San Francisco with **ADA & CO**; Sacramento, 42 Second street; Marysville, corner Maiden Lane and second street.

d28 **FREEMAN & CO.**

RUNNING to all parts of the Southern Mines, and the only Express in Stockton or the Southern District connected in San Francisco, with the well known Express of ADAMS & Co., to all parts of the United States, affording superior facilities for the transportation of Gold Dust and packages of every description. Drafts procured upon all parts of the United States and Europe. Collections

d2

A. H. TODD, San Francisco.
E. W. COLT, Stockton.

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OUR ARRANGEMENTS for the prompt and faithful transmission of gold dust, coin, letters, parcels, &c. to all parts of the United States and Europe, furnishing exchange, and the transaction of a general Express business, are now complete.
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 MEXICO, CALIFORNIA, &c.

homogeneity of steel. An arrangement has been made with EDWARD E. DUNBAR, to superintend the Exchange Department. Drafts on our houses in New Orleans, New York and Boston, furnished, and the safe transmission of gold dust to the States and Europe insured by every steamer. Miners and others can make special deposits of treasure, in the fire proof safe of the undersigned.

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NEW ARRANGEMENTS.

 THE PROPRIETORS of the U.S. MAIL Line of Stages have discontinued running their line through by land between San Francisco to San Jose, and are now running a DAILY Line to and from the Embarcadero in connection with the steamer W. J. ROBINSON and NEW STAK.

All thirtoold friends and the traveling public will find this a much cheaper and more pleasant route than by land, at this season of the year.

d80 lm : ACKLEY & MAURISON.
Stage Proprietors.

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BERFORD & CO'S LINE

OF EXPRESS MAIL STAGES,
HALL & CRANDALL, PROPRIETORS,
ARE now running every morning to San Jose, leaving
Bredford & Co's office, in the Plaza, at 8 o'clock, A. M.
and the City Hotel, in San Jose, at 7 o'clock, A. M.
The reduced rate of fare puts it in the power of every
one to visit the beautiful and healthful valley of Santa
Clara. There is no more charming drive in California

The great advantage this line possesses over all others, is that the Stages were bought expressly for the road, and with a particular attention

who have served a long apprenticeship from New England to Mexico, make the **QUICKEST** time and **NEVER MEET WITH ACCIDENTS**, which are so likely to occur with the old fashioned stage coaches. We invite our friends to give the line a trial.

n7tf BENFORD & CO.

WASHINGTON ROAD.

MYGATT, RYANT & CO., having rebuilt their Bathing Establishment since the late fire, on Washington street, between Kearny and Montgomery, are now ready to give Warm, Cold, and Shower Baths, and attend to those who may favor them with their patronage. Open from 8 A. M. to 11 P. M. Single tickets \$1.50, 10 tickets for \$10.

Also in connection with their establishment, having a

cured the services of an excellent barber and hair-dresser, late of Astor House, New York, they will be happy to accommodate the public in that department. d2

KLAMATH GOLD BLUFF.
BOOKS WILL BE OPEN THIS DAY, FRIDAY,
from 9 a.m. to 4 p.m., at Kendig, Walswright & Co's
for the sale of a limited amount of the stock of the

PA'IFIC MINING COMPANY. By order of the Board of Directors. **JOHN A. COLLINS, Secretary.**
Jan 10

FOR SALE—The cargo of the ship *Charleston*, expected in a few days, from the coast of Mexico consisting in part of sheep, hogs, turkeys, corn, beans, peas, adzows, preserved plantains, Chile pepper, vanilla beans; fresh guano, systems, and other goods.

Jan20 10t Corner of Leidesdorf and Sacramento st.
 TO GARDENERS—TO RENT, on the Presidio
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